

REMARKS

As a result of this amendment, which amends claims 1 and 34 and cancels claim 2, claims 1, 3-47, 61, 63-64, 66-69, 71, and 95 are now pending in this application.

Of these, claim 1 stands rejected under 35 U.S.C. §102 based on Jun Fig. 4, and claims 34-35 stand rejected under 35 U.S.C. §103 based on Jun Fig. 9H. The remaining claims stand rejected based on double-patenting grounds.

A detailed response to the rejections follows. However, applicant reserves all applicable rights not exercised in connection with this response, including, for example, the right to swear behind one or more of the cited references, the right to rebut any tacit or explicit characterization of the references, and the right to rebut any asserted motivation for combination. Applicant makes no admission regarding the prior art status of the cited references, regarding them as being only of record.

Response to §102 Rejection

Claim 1 was rejected under 35 USC §102(b) as anticipated by Fig. 4 of Jun (U.S. 5,652,169). In response, applicant submits respectfully that claim 1 has been amended to specifically recite the subject matter of dependent claim 2.

Accordingly, applicant requests respectfully that the Examiner withdraw the §102 rejection.

Response to §103 Rejection

Claims 34-35 were rejected under 35 USC §103(a) as unpatentable over Jun, specifically Fig. 9H. In response, applicant has amended claim 34 to specify, as exemplified in Figure 5 of the application, that the first and second conductive members contact the conductive layer “at respective first and second lap joints.” It does not appear that one of skill would regard Jun’s Fig. 9H as meeting this requirement, because Jun appears to melt two conductors together to form one conductor. At best, this might yield one butt joint where the two molten conductors meet, not first and second lap joints as specified in claims 34 and 35.

Accordingly, applicant requests respectfully that the Examiner withdraw the §103 based on Jun.

Response to Double-Patenting Rejection

Claims 1-5, 32-33, 36 and 95 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5, 31-32 and 35 of U.S. Patent 6,288,437. Claims 7-19, 28, 37-47, 61, 63-64, 66-69 and 71 were similarly rejected over the '437 patent.

In response, applicant submits herewith a Terminal Disclaimer and required fee. Accordingly, applicant requests respectfully that the Examiner withdraw the double-patenting rejections.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9593 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

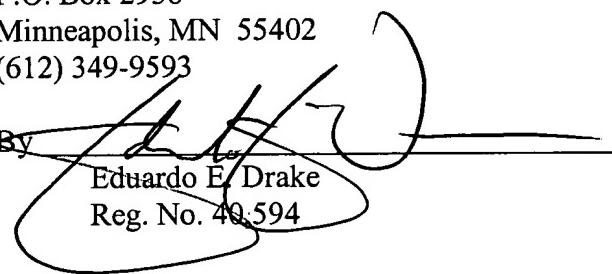
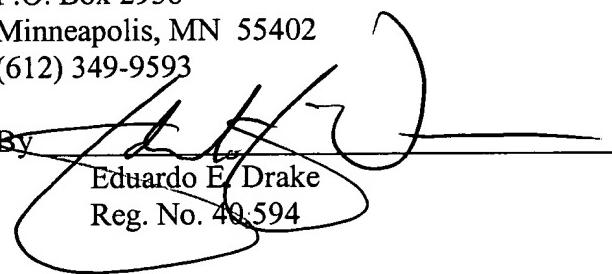
Respectfully submitted,

LEONARD FORBES ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9593

Date 1 August 2004


By 
Eduardo E. Drake
Reg. No. 49,594

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2nd day of August, 2004.

Name Amy Moriarty

Signature Amy Moriarty